

News Release National Labor Relations Board Office of the General Counsel

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Contact:

Office of Public Affairs 202-273-1991 publicinfo@nlrb.gov www.nlrb.gov

NLRB Judge finds Puerto Rico newspaper illegally closed department El Vocero must offer reinstatement, backpay to 107 circulation employees

A unionized Spanish-language newspaper in San Juan, Puerto Rico, unlawfully closed its circulation department and fired 107 employees in order to move the work to a non-union shell company, according to the findings of an Administrative Law Judge for the National Labor Relations Board.

Judge Michael A. Rosas found numerous other violations in <a href="https://his.google.com/his.go

The newspaper claimed that mounting debts and shrinking revenues necessitated the various cost-cutting moves, but Judge Rosas did not find that argument compelling. "The credible evidence reveals that El Vocero's financial situation was improving – albeit slightly – when the Company announced its decision to close the circulation department in July 2009," he wrote. In any case, the employer was compelled to bargain with the union and provide related financial information, which it failed to do.

The San Juan office of the NLRB is currently seeking a federal injunction to force the newspaper to restore the circulation department and its 107 employees pending a final determination by the Board.

The work of the circulation department was moved to a new, non-union company created by the owners and managers of El Vocero, using many of the same employees. It was, Rosas said, "a company on paper only."

The National Labor Relations Board is an independent federal agency vested with the authority to safeguard employees' rights to organize and to determine whether to have a union as their collective bargaining representative. The Agency also acts to prevent and remedy unfair labor practices committed by private sector employers and unions, as well as cases arising from the United States Postal Service.